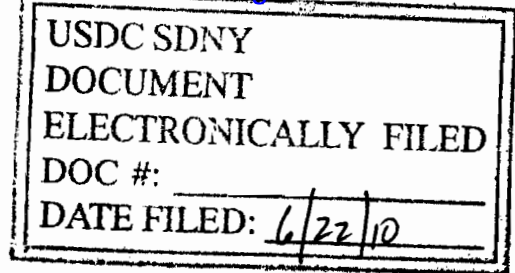


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
GARY COOPER,

Plaintiff,

-against-

LOCAL 32BJ SEIU, *et al.*,

Defendants.  
-----X

09 Civ. 8472 (SHS) (RLE)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

On October 6, 2009, *pro se* plaintiff Gary Cooper filed a complaint against Local 32BJ SEIU, and Allied International Union alleging violations of Title I of the Labor Management Reporting and Disclosure Act (29 U.S.C. §§ 411-15 ("LMRDA")). Pending now before the Court are motions by defendants to dismiss the complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) [Dkt. # 9 and Dkt. # 17], and a motion by plaintiff to amend his complaint [Dkt. # 24]. On May 18, 2010 Magistrate Judge Ronald Ellis issued a Report and Recommendation, recommending that defendants' motions both be granted and that plaintiff's motion to amend his complaint be denied.

No party has submitted any objections to the Report and Recommendation. Therefore, the Court has a duty to review the Report and Recommendation for clear error. *See Advance Coating Technology, Inc. v. LEP Chemical, Ltd.* 142 F.R.D. 91, 93 (S.D.N.Y. 1992). After so doing this Court adopts the Magistrate's Report and Recommendation in its entirety.

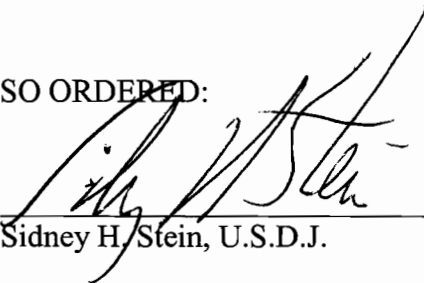
Accordingly, IT IS HEREBY ORDERED that

1. Magistrate Judge Ellis' Report and Recommendation is adopted in its entirety;
2. Defendants' motions to dismiss plaintiff's complaint are granted [Dkt. # 9 & 17]; and

3. Plaintiff's motion to amend the complaint [Dkt. # 24] is denied and the case is dismissed.

Dated: New York, New York  
June 21, 2010

SO ORDERED:



A handwritten signature in black ink, appearing to read 'S. H. Stein', is written over a horizontal line. The signature is fluid and cursive.

Sidney H. Stein, U.S.D.J.